

10/607,228

MS160341.01/MSFTP392US

REMARKS

Claims 1-57 are currently pending in the subject application and are presently under consideration. Claims 1, 28, 35 and 36 have been amended as shown on pp. 2-8 of the Reply. Claim 29 has been canceled.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claims 1 and 27 Under 35 U.S.C. §102(a)

Claims 1 and 27 stand rejected under 35 U.S.C. §102(a) as being anticipated by Rhodes (US App. No. 2003/0028631). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Rhodes does not anticipate each and every element as set forth in the subject claims.

A single prior art reference anticipates a patent claim only if it expressly or inherently describes each and every limitation set forth in the patent claim. *Trintec Industries, Inc. v. Top-U.S.A. Corp.*, 295 F.3d 1292, 63 USPQ2d 1597 (Fed. Cir. 2002); *See Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the ... claim. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

The claimed invention relates to systems and methods that facilitate information searches that automatically cut across different information sources while supporting fast information retrieval, filtering and sorting due to the indexing process. Rich contextual cues such as date, author, thumbnails and previews are provided with retrieved items to aid the user in quickly recognizing items. More particularly, independent claim 1 recites a system that facilitates concurrent searching across a plurality of sources, comprising: *a usage analyzer that determines user accessed items and a content analyzer that stores subsets of data corresponding to the items and sparse representations of the subsets, at least two of the items being associated with disparate sources, respectively; and an indexing component that indexes the data subsets.* Rhodes does not expressly or inherently disclose the aforementioned novel aspects of applicants' invention as recited in the subject claims.

10/607,228

MS160341.01/MSFTP392US

Rhodes discloses a network usage analysis system and method for providing updatable statistical representation of usage record events. A statistical model is generated from the set of record events and updated by adding the most recent record event to the statistical model. (See pg. 2, paragraphs [0017-0018]). The network usage analysis system of Rhodes provides direct statistical representation of network usage information. Rhodes defines network usage information as metadata information about the communication sessions and does not include the actual information exchanged in a communication session. (See pg. 1, paragraph [0004]). A statistical model is generated from the set of record events and updated by adding the most recent record event to the statistical model. A tracking table is utilized to track each customer's usage. Upon receipt of a new record event, only the portion of the accumulation table and statistical model associated with the new record event are updated. (See pg. 3, paragraph [0037] and pg. 4, paragraph [0045]). Whereas, the present invention discloses a content analyzer that creates sparse representations of accessed data in the content index. For example, if the user has accessed a web page, the content analyzer may create a thumbnail representation of the web page and associate a hyperlink reference to the page and thumbnail. Further, the system includes one or more disparate information sources that are accessed or considered by a user, having dissimilar information content, whereby some of the information sources may represent local data locations such as files, folders, applications, images, audio files, appointments, email, and so forth, and other sources may represent remote sources such as web information, for example. (See pg. 6, lines 13-20). Rhodes is directed to an updatable statistical representation of metadata collected from a real-time stream of network usage data records generated by user activity on the Internet. This metadata is stored in a statistical model and continuously updated. Accordingly, the network usage system of Rhodes does not store sparse representation of the data, nor does it store data associated with disparate sources. Thus, Rhodes is silent with regard to *a content analyzer that stores subsets of data corresponding to the items and sparse representations of the subsets, at least two of the items being associated with disparate sources.*

In view of at least the above, it is readily apparent that Rhodes fails to expressly or inherently disclose applicants' claimed invention as recited in independent claims 1 and 27. Accordingly, it is respectfully requested that these claims be deemed allowable.

10/607,228

MS160341.01/MSFTP392US

II. Rejection of Claims 2-26 Under 35 U.S.C. §103(a)

Claims 2-26 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Rhodes in view of Hansen *et al.* (US App. No. 2003/0014399). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. The cited references alone or in combination, fail to teach or suggest all limitations of the subject claims. In particular, Hansen, *et al.* fails to make up for the aforementioned deficiencies of Rhodes with respect to independent claim 1 (from which claims 2-26 directly or indirectly depend). Accordingly, this rejection should be withdrawn.

III. Rejection of Claims 28-34 Under 35 U.S.C. §102(e)

Claims 28-34 stand rejected under 35 U.S.C. §102(e) as being anticipated by Egendorf *et al.* (US App. No. 2003/0177111). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Egendorf *et al.* does not anticipate each and every element as set forth in the subject claims.

As stated *supra*, the claimed invention relates to systems and methods that facilitate concurrent searching across a plurality of sources while supporting fast information retrieval, filtering and sorting due to the indexing process. More particularly, independent claim 28 recites a method that facilitates concurrent searching across a plurality of sources, comprising: ***automatically monitoring a user and automatically analyzing a data source to determine whether the user has contemplated the data source; automatically determining whether the user has contemplated the data source selected from at least two disparate data sources; and automatically indexing the contemplated data source in a computerized index.*** Egendorf *et al.* does not expressly or inherently disclose the aforementioned novel aspects of applicants' invention as recited in the subject claims.

Egendorf *et al.* discloses a method for searching from a plurality of data sources. A customized query is sent to each database, wherein the query is automatically generated without the need for human programming. The query is generated based on information on how to query gained directly from each information source. This query information is contained in a descriptive packet associated with the information source, and is further contained in a database. A user search request then prompts retrieval of all relevant information sources which matches the search parameters. (*See* pg. 5, paragraphs [0055]-[0060]). Whereas, the present invention

10/607,228

MS160341.01/MSFTP392US

discloses concurrent searching across a plurality of sources, wherein user activities are monitored and events relating to when information has been accessed or seen by the user are recorded (e.g., monitor desktop mouse and keyboard activities and record index event when user selects or contemplates an information item) for determining when an information item has been accessed or previously contemplated before automated indexing of the item occurs. In one aspect, files can be examined for such information as date opened or created, last accessed, and/or other indicia indicating if the information item has already been observed. Egendorf *et al.* is directed to searching via a customized query. Accordingly, the method of Egendorf *et al.* does not monitor or record events relating to what information has been accessed or seen by the user. Thus, Egendorf *et al.* is silent with regard to ***automatically monitoring a user and automatically analyzing a data source to determine whether the user has contemplated the data source.*** (See Office Action dated December 8, 2005, page 15).

In view of at least the above, it is readily apparent that Egendorf *et al.* fails to expressly or inherently disclose applicants' claimed invention as recited in independent claim 28 (and claims 29-34 which depend there from). Accordingly, it is respectfully requested that these claims be deemed allowable.

IV. Rejection of Claim 35 Under 35 U.S.C. §102(a)

Claim 35 stands rejected under 35 U.S.C. §102(a) as being anticipated by Grefenstette *et al.* (US Pat. No. 6,446,035). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Grefenstette *et al.* does not anticipate each and every element as set forth in the subject claim.

As stated *supra*, the claimed invention relates to systems and methods that facilitate concurrent searching across a plurality of sources while supporting fast information retrieval, filtering and sorting due to the indexing process. More particularly, independent claim 35 recites a system that facilitates computerized searching, comprising: ***means for determining when a user has accessed an information item; means for filtering the information item; means for storing subsets of data corresponding to the information item and sparse representations of the subsets; means for indexing the subsets of data and sparse representations of the subsets in a content index; and mean for querying the content index.*** Grefenstette *et al.* does not expressly or

10/607,228

MS160341.01/MSFTP392US

inherently disclose the aforementioned novel aspects of applicants' invention as recited in the subject claim.

Grefenstette *et al.* discloses a system for finding groups of people based on linguistically analyzable content of resources accessed. The system obtains expression/person data that identifies at least one person who has accessed a resource that includes an expression type. An expression type is identified by performing linguistic analysis on the text of a Web page or other accessed resource. The expression type data can then be associated with an identifier of the person who accessed the Web page, such as a logon name. The expression data is then stored in a database and the group information can be obtained in response to a query from a user. (See col. 2, line 46-col. 3, line 13). Whereas, the present invention discloses a means for storing subsets of data corresponding to the information item and sparse representations of the subsets. For example, if the user has accessed a web page, the content analyzer may create a thumbnail representation of the web page and associate a hyperlink reference to the page and thumbnail. (See pg. 6, lines 13-20). Grefenstette *et al.* is directed to a system that performs linguistic analysis on data associated with an accessed resource and saves this data in a database. Accordingly, Grefenstette *et al.* does not store subsets or sparse representations of the data. Thus, Grefenstette *et al.* is silent with regard to *a means for storing subsets of data corresponding to the information item and sparse representations of the subsets.*

In view of at least the above, it is readily apparent that Grefenstette *et al.* fails to expressly or inherently disclose applicants' claimed invention as recited in independent claim 35. Accordingly, it is respectfully requested that this claim be deemed allowable.

V. Rejection of Claims 36-57 Under 35 U.S.C. §102(a)

Claims 36-57 stand rejected under 35 U.S.C. §102(a) as being anticipated by Raboczi *et al.* (US App. No. 2003/0061209). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Raboczi *et al.* does not anticipate each and every element as set forth in the subject claims.

As stated *supra*, the claimed invention relates to systems and methods that facilitate concurrent searching across a plurality of sources while supporting fast information retrieval, filtering and sorting due to the indexing process. More particularly, independent claim 36 recites a user interface for computerized searching of data, comprising: *a display having one or more*

10/607,228

MS160341.01/MSFTP392US

display objects representing results gathered from monitoring information items previously observed by a user; and at least one input option associated with the display to facilitate user queries of the information items. Raboczi *et al.* does not expressly or inherently disclose the aforementioned novel aspects of applicants' invention as recited in the subject claim.

Raboczi *et al.* discloses a computer user interface tool for navigation of data stored in directed graphs. A user can search a database of documents or metadata by formulating a query and submitting the query via the user interface. A query engine processes the query and returns a list of nodes in the directed graph that satisfy the query. Using the user interface, the user is able to narrow the list of hits by selectively choosing from the list of metadata. (See pg. 1, paragraph [0016]-pg. 2, paragraph [0019]). Whereas, the present invention discloses a user interface that facilitates computerized searching, wherein user activities are monitored and events relating to when information has been accessed or seen by the user are recorded (*e.g.*, monitor desktop mouse and keyboard activities and record index event when user selects or contemplates an information item) for determining when an information item has been accessed or previously contemplated. In one aspect, files can be examined for such information as date opened or created, last accessed, and/or other indicia indicating if the information item has already been observed. Raboczi *et al.* is directed to utilizing a user interface for searching an existing database of documents. Accordingly, Raboczi *et al.* does not monitor or record events relating to when information has been accessed or seen by the user. Thus, Raboczi *et al.* is silent with regard to a user interface comprising *a display having one or more display objects representing results gathered from monitoring information items previously observed by a user.*

In view of at least the above, it is readily apparent that Raboczi *et al.* fails to expressly or inherently disclose applicants' claimed invention as recited in independent claim 36 (and claims 37-57 which depend there from). Accordingly, it is respectfully requested that these claims be deemed allowable.

VI. Rejection of Claim 29 Under 35 U.S.C. §103(a)

Claim 29 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Egendorf *et al.* in view of Singer *et al.* (US Pat. No. 6,789,115). Claim 29 has been canceled, as such this rejection is moot and should be withdrawn.

10/607,228

MS160341.01/MSFTP392US

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP392US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

AMIN & TUROCY, LLP



Himanshu S. Amin
Reg. No. 40,894

AMIN & TUROCY, LLP
24TH Floor, National City Center
1900 E. 9TH Street
Cleveland, Ohio 44114
Telephone (216) 696-8730
Facsimile (216) 696-8731